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Attorneys for Plaintiff  
DEBORAH DI GRAZIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT  
SAN JOSE DIVISION

DEBORAH DI GRAZIA, a widow,

Plaintiff,

vs.

SAZERAC COMPANY, INC., a Louisiana  
corporation; and DOES 1-20,

Defendants.

No. 5:08-CV-01562 JW

**JOINT REPORT PURSUANT TO  
FED. R. CIV. P. 26(f)**

CMC Date: July 7, 2008

Time: 10:00 a.m.

Crtrm: 8

Judge: Hon. James Ware

Having held a conference pursuant to Rule 26(f) of the Federal Rules of Civil  
Procedure, Counsel hereby submit their report on that conference.

**A. DISCLOSURES**

The parties do not propose any changes to the form or requirement of disclosures  
under Rule 26(a) of the Federal Rules of Civil Procedure. As to timing, the parties have agreed to  
make such disclosures within 21 days of the day that the Court rules on Sazerac's Motion to  
Dismiss.

**B. DISCOVERY**

The parties do not propose that discovery be conducted in phases, or that it be  
limited to particular issues. The Parties propose that discovery be completed by December 1,

1 2008.

2 **C. ELECTRONICALLY STORED INFORMATION**

3 Counsel have advised their respective clients to refrain from any document  
4 destruction, and to cease any document destruction program and any programmatic erasure of  
5 voice-mail, e-mail, and other electronically stored material. No issues with regard to disclosure  
6 or discovery of electronically stored information have arisen.

7 **D. PRIVILEGE**

8 No issues with regard to claims of privilege have arisen.

9 **E. LIMITATIONS ON DISCOVERY**

10 The parties do not propose that any changes be made in the limitations on  
11 discovery imposed under the Federal Rules or the Local rules, or that additional limitations be  
12 imposed on discovery.

13 **F. OTHER ORDERS TO BE ENTERED BY THE COURT**

14 The parties have submitted, or will submit, a detailed Joint Case Management  
15 Statement and Proposed Order. This document will propose, among other things, deadlines to be  
16 set by the Court.

17 In addition, the parties expect that there will be claims of confidentiality related to  
18 certain material produced in discovery, and if necessary, the parties intend to submit a stipulated  
19 protective order for entry by the Court.

1 Dated: June 24, 2008

MANATT, PHELPS & PHILLIPS, LLP

2  
3 By: /s/ Andrew A. Bassak

4 Andrew A. Bassak  
5 Attorneys for Plaintiff  
6 DEBORAH DI GRAZIA

7 Dated: June 24, 2008

COOLEY GODWARD KRONISH LLP

8 By: /s/ Michael A. Attanasio

9 Michael A. Attanasio  
10 Attorneys for Defendant  
11 SAZERAC COMPANY, INC.

12 *Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding*  
13 *signatures, Andrew A. Bassak hereby attests that concurrence in the filing of this document has*  
14 *been obtained.*